

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed October 11, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Allowable Subject Matter**

Applicant appreciates the Examiner's indication that claims 21 and 22 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

In that it is believed that every rejection has been overcome, it is respectfully submitted that each of the claims that remains in the case is presently in condition for allowance.

### **II. Claim Rejections - 35 U.S.C. § 102**

Applicant's claims have been rejected under 35 U.S.C. § 102(b) as being anticipated by various patent references. As indicated above, however, each of the independent claims has been amended through this response. In view of those amendments, Applicant submits that the rejections are moot as having been drawn against the claims in a previous form. Applicant therefore requests that the rejections be withdrawn.

Regarding Applicant's claims, as amended, none of the references teach an optical alignment target comprising a planar central portion that is surrounded by a contoured contrasting region having a topographic contour that forms patterned surface

irregularities such that the optical alignment target can be readily detected from the contrast between the planar central portion and the contoured contrasting region that surrounds the planar central region.

### **III. Claim Rejections - 35 U.S.C. § 103(a)**

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Caldwell* (U.S. Pat. No. 5,401,691) and claim 8 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Caldwell* in view of *Stagaman* (U.S. Pat. No. 5,569,684).

As is identified above, each of the independent claims has been amended through this Response. In view of those amendments, Applicant submits that the rejections are moot as having been drawn against the claims in a previous form. Applicant therefore requests that the rejections be withdrawn.

### **IV. Canceled Claims**

Claims 2, 3, 5-8, 15, 18, 19, 21, 25, and 27-46 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

### **V. New Claim**

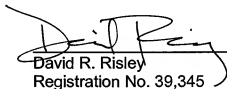
Claim 47 has been added into the application through this Response. Applicant respectfully submits that claim 47 is presently allowable given that it contains the

allowable subject matter of now-canceled claim 21. Applicant therefore respectfully requests that claim 47 be held to be allowable.

### CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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